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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/804,906	03/19/2004	David J. Jochem	20341-72304	8372

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BARNES & THORNBURG LLP
11 SOUTH MERIDIAN
INDIANAPOLIS, IN 46204

EXAMINER	
LEE, EDMUND H	
ART UNIT	**PAPER NUMBER**
1732	

DATE MAILED: 11/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

C

Office Action Summary	Application No.	Applicant(s)	
	10/804,906	JOCHEM ET AL.	
	Examiner	Art Unit	
	EDMUND H. LEE	1732	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *04 October 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-27* is/are pending in the application.

4a) Of the above claim(s) *7-10,14,18 and 23* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-6,11-13,15-17,19-22 and 24-27* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over JP 11-170361 in view of JP 8-290464. In regard to claim 1, JP 11-170361 teaches the basic claimed process including a method of operating a production line to produce a decorated plastic product (abstract; figs 1-6); extruding a strip of plastic material from a strip extruder (abstract; figs 1-6); moving the strip along the production line in sequence from the extruder past a decoration media dispenser to a thermoformer (abstract; figs 1-6); dispensing decoration media from the decoration media dispenser onto a portion of the strip (abstract; figs 1-6); and thermoforming the strip portion into the decorated plastic product by operation of the thermoformer to form the strip portion after the dispensing act. JP 11-170361, however, does not teach heating for thermoforming. JP 8-290464 teaches a method of extruding a strip portion and then thermoforming the strip portion into a plastic product (abstract; figs 1 and 5-8); and heating a surface of the strip portion in preparation for the thermoforming (abstract; figs 1 and 5-8). JP 11-170361 and JP 8-290464 are combinable because they are analogous with respect to extruding and thermoforming/blow molding. Thus, it would have been obvious to one of

ordinary skill in the art at the time the invention was made to include the heating step of JP 8-290464 into the production line of JP 11-170361 in order to form a product having good surface properties. In regard to claims 2-4, such are taught by JP 11-170361 (abstract; figs 1-6). In regard to the spraying act limitations of claims 5 and 6 such are well-known in the spraying act in order to ensure proper spraying. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the spraying act limitations of claims 5and 6 into the process of JP 11-170361 in order to ensure proper spraying of the coating onto the strip portion of JP 11-170361.

4. Claims 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over JP 11-170361 in view of JP 8-290464. In regard to claim 11, JP 11-170361 teaches the basic claimed process including a method of operating a production line to produce a decorated plastic product (abstract; figs 1-6); extruding a strip of plastic material from a strip extruder (abstract; figs 1-6); moving the strip along the production line in sequence from the extruder past strip mover and a decoration media dispenser toward a thermoformer by operation of the strip mover (abstract; figs 1-6); dispensing decoration media from the decoration media dispenser onto a portion of the strip after the strip portion passes the strip mover (abstract; figs 1-6); and thermoforming the strip portion into the decorated plastic product by operation of the thermoformer to form the strip portion after the dispensing act. JP 11-170361, however, does not teach heating for thermoforming. JP 8-290464 teaches a method of extruding a strip portion and then thermoforming the strip portion into a plastic product (abstract; figs 1 and 5-8); and

heating a surface of the strip portion in preparation for the thermoforming (abstract; figs 1 and 5-8). JP 11-170361 and JP 8-290464 are combinable because they are analogous with respect to extruding and thermoforming/blow molding. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include the heating step of JP 8-290464 into the production line of JP 11-170361 in order to form a product having good surface properties. In regard to claims 12, it is well-known in the molding art to couple different apparatus parts to a frame in order to ensure stability and proper sequencing. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to couple the strip mover and dispenser of JP 11-170361 to a frame in order to achieve the above results. In regard to claim 13, JP 11-170361 teaches the use of a plurality of sprayers along the width of the strip portion (abstract; figs 1-6), but does not teach the sprayers and strip mover coupled to a frame. It is well-known in the molding art to couple different apparatus parts to a frame in order to ensure stability and proper sequencing. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to couple the strip mover and dispenser of JP 11-170361 to a frame in order to achieve the above results.

5. Claims 15-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over JP 11-170361 in view of JP 8-290464. In regard to claim 15, JP 11-170361 teaches the basic claimed process including a method of operating a production line to produce a decorated plastic product (abstract; figs 1-6); extruding a strip of plastic material from a strip extruder (abstract; figs 1-6); moving the strip along the production line in sequence

from the extruder past strip mover and a decoration media dispenser toward a thermoformer by operation of the strip mover (abstract; figs 1-6); dispensing decoration media from the decoration media dispenser onto a portion of the strip before the strip portion passes the strip mover (abstract; figs 1-6); and thermoforming the strip portion into the decorated plastic product by operation of the thermoformer to form the strip portion after the dispensing act. JP 11-170361, however, does not teach heating for thermoforming. JP 8-290464 teaches a method of extruding a strip portion and then thermoforming the strip portion into a plastic product (abstract; figs 1 and 5-8); and heating a surface of the strip portion in preparation for the thermoforming (abstract; figs 1 and 5-8). JP 11-170361 and JP 8-290464 are combinable because they are analogous with respect to extruding and thermoforming/blow molding. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include the heating step of JP 8-290464 into the production line of JP 11-170361 in order to form a product having good surface properties. In regard to claims 16, it is well-known in the molding art to couple different apparatus parts to a frame in order to ensure stability and proper sequencing. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to couple the strip mover and dispenser of JP 11-170361 to a frame in order to achieve the above results. In regard to claim 17, such is taught by JP 11-170361 (abstract; figs 1-6).

6. Claims 19-22 and 24-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over JP 11-170361 in view of JP 8-290464. In regard to claim 22, JP 11-170361 teaches the basic claimed process including a method of operating a production

line to produce a decorated plastic product (abstract; figs 1-6); extruding a strip of plastic material (abstract; figs 1-6); dispensing decoration media onto a portion of the strip (abstract; figs 1-6); and thermoforming the strip portion into the decorated plastic product by operation of the thermoformer to form the strip portion after the dispensing act. JP 11-170361, however, does not teach heating for thermoforming. JP 8-290464 teaches a method of extruding a strip portion and then thermoforming the strip portion into a plastic product (abstract; figs 1 and 5-8); and heating a surface of the strip portion in preparation for the thermoforming (abstract; figs 1 and 5-8). JP 11-170361 and JP 8-290464 are combinable because they are analogous with respect to extruding and thermoforming/blow molding. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include the heating step of JP 8-290464 into the production line of JP 11-170361 in order to form a product having good surface properties. In regard to claims 20-21 and 24-25, such are taught by JP 11-170361 (abstract; figs 1-6). In regard to the spraying act limitations of claim 22, such are well-known in the spraying act in order to ensure proper spraying. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the spraying act limitations of claim 22 into the process of JP 11-170361 in order to ensure proper spraying of the coating onto the strip portion of JP 11-170361. In regard to claim 26, it is well-known in the molding art to sense the thickness of an extrudate. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to sense the thickness of the strip portion of JP 11-170361 in order to ensure proper dispensing of the ink. In regard to claim 27, it is well-known in

the molding art to impart a slack into a processing film in order to relieve tension. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to move the strip portion/film of JP 11-170361 through a slack after the dispensing act in order to form a high quality article.

7. Applicant's arguments with respect to the pending claims have been considered but are moot in view of the new ground(s) of rejection.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to EDMUND H. LEE whose telephone number is 571.272.1204. The examiner can normally be reached on MONDAY-THURSDAY FROM 9AM-4PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christina Johnson can be reached on 571.272.1176. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

EDMUND H. LEE
Primary Examiner
Art Unit 1732

EHL

11/13/06